

# Applied Arbitration for Fellows

15 and 16 March 2025



## **What is the aim of the programme?**

The course is for Fellows of the Ciarb who have not yet had practical experience of being an arbitrator and who wish to develop their skills and knowledge in a realistic simulation of an arbitration proceeding, under the guidance of highly experienced and respected arbitration practitioners.

## **What are the learning outcomes?**

Candidates will practise the role of arbitrator using realistic documentation and interacting with counsel and witnesses. Through active engagement with the course, participants will develop their knowledge, skills and confidence to:

- Plan and manage arbitration proceedings effectively.
- Interpret and give effect to procedural orders, applicable arbitral rules and guidelines.
- Identify and address common procedural and ad hoc problems.
- Engage effectively with participants in an arbitration to enable effective and compliant contributions to the process.

## **How is the programme delivered?**

The course will be delivered in person at the office of HKA Global, London, with the course material shared ahead of and during the simulated proceedings.

## **The course will be delivered by the following tutors:**

### **Course Directors**

Marion Smith KC and Tope Adeyemi

### **Arbitrators**

Steven Gee KC, Ben Giaretta and Michael Tonkin

### **Counsel**

Nicholas Peacock

## **What are the entry requirements?**

Candidates must:

- Be a Fellow of the Ciarb.
- Preference will be given to Fellows who have not already been appointed as an arbitrator.
- Be willing to assist with the evaluation of the course by providing open feedback during a session on the final day of the programme.

## **What is the programme fee and what does it include?**

The programme fee is £1750 plus VAT if paid by 21 February 2025 or £2050 plus VAT if paid after 21 February 2025. All course fees are to be paid a minimum of 7 days before the start of the course. The programme fee includes all course material, a completion certificate, tea/coffee at the breaks, lunches, and dinner on first day of the course.

## **What happens when I apply for the programme?**

All applications should be submitted no later than 3 March 2025 and the Ciarb will provide confirmation of receipt of the application. Following payment, the course material will be issued along with contact details for all Fellows who will be attending the programme. The course is limited to a maximum of 6 Fellows.

## **How to apply for this course?**

Please submit your application for the course to:

[elinor@thevirtualpartnership.co.uk](mailto:elinor@thevirtualpartnership.co.uk).

Your application should confirm that you comply with the entry requirements set out above and should also provide a statement of no more than 250 words as to why you would like to attend this course.

## **What is Ciarb's policy on cancellation of courses?**

Cancellation of the Applied Arbitrators for Fellows course must be made in writing to [elinor@thevirtualpartnership.co.uk](mailto:elinor@thevirtualpartnership.co.uk).

The below cancellation charges will apply to any cancellation:

- If a registration is cancelled within 28 days of the course commencing, 100% of the course fee will be payable.
- If a registration is cancelled before 14 days of the course commencing, 50% of the course or assessment fee will be payable.

Where the Ciarb cancels the course, candidates will be provided with a full refund.

Ciarb reserves the right to amend the programme at any stage.

## Day 1

Date / Time	Event
8.45 am	Introduction <b>plenary</b>
9.00 am	Preliminary Meeting before a panel of three Chartered Arbitrators <b>demonstration</b>
9.45 am	Chartered Arbitrators' deliberations <b>demonstration</b>
10.00 am	Coffee
10.20 am	Practical Exercise 1: FCIArbs pre-meeting <b>role play</b>
10.35 am	Practical Exercise 1: Preliminary Meeting FCIArbs <b>role play</b>
11.25 am	Practical Exercise 1: FCIArbs deliberations and Directions of the Tribunal in public <b>role play</b>
11:40 am	Practical Exercise 1: <b>Faculty feedback</b>
11.50 am	Practical Exercise 2: FCIArbs pre-meeting – challenge to the Jurisdiction
12.05 pm	Practical Exercise 2: Procedural Meeting – Challenge to the Jurisdiction of the Tribunal FCIArbs' <b>role play</b>
12.40 pm	Practical Exercise 2: FCIArbs deliberations and Ruling of the Tribunal in public <b>role play</b>
12.50 pm	Practical Exercise 2: <b>Faculty feedback</b>
1.00 pm	Lunch
2.00 pm	Debrief <b>plenary</b>
2.30 pm	Practical Exercise 3: FCIArbs pre-meeting
2.45 pm	Practical Exercise 3: FCIArbs Procedural Meeting on factual/expert witness timetabling/hearing programme to include deliberations and Rulings in Public <b>role play</b>
3.15 pm	Practical Exercise 3: FCIArbs deliberations and Ruling of the Tribunal <b>role play</b>
3.30pm	Practical Exercise 3: Faculty <b>feedback</b>
3.45 pm	Practical Exercise 4: FCIArbs pre-meeting
4.00 pm	Practical Exercise 4: Pre-Hearing Application – disclosure/hearing bundles/postponement of Hearing FCIArbs' <b>role play</b>
4.35 pm	Practical Exercise 4: FCIArbs deliberations and Ruling of the Tribunal <b>role play</b>
4.45pm	Practical Exercise 4: Faculty <b>feedback</b>
4.55 pm	Coffee
5.15pm	Debrief. Setting the agenda for the first in depth review on Sunday morning <b>plenary</b>
5.45 pm	FCIArbs disclosure exercise including preparation of procedural order
6.45 pm	FCIArbs submit procedural order
7.30 pm	Course Dinner

## Day 2

Date / Time	Event
9.00 am	Reflection / Q&A on day 1 <b>plenary</b>
9.30 am	Discussion on Disclosure exercise and procedural orders <b>plenary</b>
10.00 am	Coffee
10.20 am	<b>Practical Exercise 5:</b> FCIArbs pre-meeting
10.35 am	<b>Practical Exercise 5:</b> Opening speeches at the Evidentiary Hearing, to the FCIArbs role play
11.20 am	<b>Practical Exercise 5:</b> Faculty feedback
11.30 am	<b>Practical Exercise 6:</b> FCIArbs pre-meeting
11.45 am	<b>Practical Exercise 6:</b> Witness evidence – at the Evidentiary Hearing, to the FCIArbs – <b>role play</b>
12.50pm	<b>Practical Exercise 5:</b> Faculty feedback
1.00 pm	Lunch
2.30 pm	Workshop including practical examples on assessing and awarding costs based on the experiences of the two days of training <b>plenary</b>
3.30 pm	Reflection/Q&A <b>plenary</b>
4.30 pm	Feedback and evaluation (mandatory)
6.00 pm or earlier	<b>Close</b>



### **What previous participants had to say**

*“Always delivered with flair and good humour, I found the Applied Arbitration Course for Fellows to be both rigorous and immersive, giving me an authentic arbitration experience that far exceeded my expectations. I was particularly impressed by the careful efforts made by the training team to tailor the tuition and feedback that suited each student’s individual experience and needs. Also most helpful was the access I had to experienced practising arbitrators, enabling me to develop an arbitration network. I thoroughly recommend this exceptional course to anyone seeking to advance themselves in the world of international arbitration.”*

*“The Applied Arbitration course provides a rare opportunity to deal with practical issues in arbitration as a sitting arbitrator. This type of experience is invaluable and an excellent next step and complement to the theoretical training that Fellows would have already received.”*

### **For future FCI Arb participants**

*“One thing I wish I had known before the course is the importance of collaboration with your tribunal team members. I would have found time to get to know my fellow tribunal team members before the first session as then collective decision making would have been more effective throughout.”*

*“One thing I wish I had known [was to] Focus on the practical training, this is the real value of the course. The theoretical points that come up are interesting and useful but can always be researched and learned separately, there is no way to replicate the practical experience of sitting as an arbitrator.”*

## Tutors



### **Marion Smith KC**

Marion has more than 30 years' experience as an arbitrator, adjudicator and advocate in complex international disputes. She has particular expertise in construction, technology and energy matters but has handled disputes across a wide range of industry sectors, legal issues and geographical regions.

She is regularly appointed as arbitrator by commercial parties, as well as sole arbitrator and chair of tribunals by the major institutions. She has been named in various distinguished practitioners' lists throughout her professional career. She serves on the Bar Council of England & Wales, the Inter-Pacific Bar Association and the Chartered Institute of Arbitrators where she is currently Chair of the Board of Trustees.



### **Tope Adeyemi**

Tope is a Barrister and Arbitrator practising from 33 Bedford Row Chambers in London. Dual qualified in England & Wales and Nigeria, her practice focuses on Alternative Dispute Resolution and Regulatory Law. Tope has appeared before a wide range of courts and tribunals and acts as Counsel and Arbitrator in institutional and ad hoc arbitrations.

She has acted as arbitrator in over 30 disputes, under various rules (ABTA, CIARB, ICC, the Private Arbitration Court and the Commercial Rent (Coronavirus) Act). Tope is a Fellow of the Chartered Institute of Arbitrators (Ciarb) and currently serves as the London Branch Chair.



**Michael Tonkin BSc DipArb DipICIArb FRICS FCIARB  
FCIOB FDBF MAE CARb**

Michael is a Chartered Quantity Surveyor, Chartered Arbitrator, Chartered Builder, CEDR Accredited Mediator, RICS Accredited Expert Witness and testifying Expert Witness in quantum with 35 years of experience in the construction industry.

He acts as an expert witness in quantum and has been instructed around 75 times as a party appointed Expert Witness, a single joint Expert Witness and a Third-Party Expert Evaluator on disputes up to US\$4bn in value.

He has given oral testimony in traditional cross-examination as well as concurrent evidence/hot-tubbing. Michael often acts as “Coordinating Expert” across several disciplines of expert.

He is a Who’s Who Legal (WWL) Global Elite Thought Leader. Michael has been appointed as Arbitrator on more than 65 occasions (as sole Arbitrator, Chairman of a tribunal of three, and Co-Arbitrator) under the auspices of ICC, LCIA, DIAC, ADCCAC and the TAI.

Michael is an “Arbitrator” Member of the Society of Construction Arbitrators and a former Ciarb Trustee and Honorary Treasurer, as well as a past Chairman and past Vice Chairman of the UAE Branch.





## **Ben Giaretta FCIArb**

Ben is an international arbitration specialist working in international commercial arbitration and investment treaty arbitration. He has worked on disputes all over the world, including in Africa, Europe, the Gulf region, the Americas and the Asia-Pacific region. His experience includes arbitrations under the ICC, LCIA, SIAC, HKIAC, UNCITRAL and ICSID Rules, in many different industries including technology, energy, renewables, construction, mining, M&A, commodities, shipping and professional services.

He is a Chartered Arbitrator and Fellow of the Ciarb, and he is on the panels of arbitrators of several arbitration institutions throughout the world. He has been appointed as arbitrator on over 30 occasions (presiding arbitrator, party nominated arbitrator, sole arbitrator and emergency arbitrator). He is the Deputy Chair of the Ciarb Board of Trustees, and he is a former Chair of the Ciarb London Branch.

He is also a member of the Board of Directors of London International Disputes Week, a member of the Advisory Board of LCAM and a member of the Court of Assistants of the Worshipful Company of Arbitrators. Ben is ranked as a leading individual in the international arbitration sections of various legal directories including Chambers, Legal 500 and Lexology Index (formerly Who's Who Legal).

Recent publications he has contributed to include International Arbitration in England, and he is one of the co-authors of the latest edition of a commentary on the Arbitration Act 1996 (to be published in 2025).



## **Nick Peacock**

Nick is an experienced English law qualified solicitor-advocate specialising in international arbitration. His practice combines advisory work, acting as advocate/counsel, and sitting as arbitrator. Nick is based in London, having previously also been based in Singapore.

He has 24 years' experience advising and acting for parties including 16 years as a partner of international law firms Herbert Smith Freehills (London and Singapore) and Bird & Bird (London).

Nick has appeared as counsel (advocate) before arbitral tribunals seated in multiple jurisdictions worldwide. He advises and acts on both commercial and investment arbitration across a range of industry sectors including in particular energy and power, infrastructure, technology, financial services, pharmaceuticals, manufacturing, transport and leisure, and aviation.

Nick sits as arbitrator both sole or as part of a 3-person tribunal. He has sat as arbitrator under various institutional rules (ICC, SIAC, and LCIA) and ad hoc (including under UNCITRAL rules). He has also acted as an English law expert for foreign court proceedings to enforce arbitration awards and in expert determination. Nick is a writer and commentator on a variety of dispute resolution topics, in particular in the areas of commercial and investment arbitration, and choice of law and forum in cross-border transactions.

He is a member of the ICC UK Arbitration and ADR Committee, a Users' Council member of the Singapore International Arbitration Centre, and a Council member for the Mumbai Centre for International Arbitration, amongst other roles.



## Steven Gee KC

Steven is a commercial litigator with nearly forty years' experience. His practice covers a broad range of commercial litigation and arbitration including agency agreements, distribution agreements, commercial contracts, joint ventures, partnership, sale of goods, insurance, reinsurance, misrepresentation and civil fraud, shipping, shipbuilding, company law, and banking.

He has appeared as counsel in courts in Antigua, the Cayman Islands, Bermuda, The British Virgin Islands, Eastern Caribbean Court of Appeal, Hong Kong, and the Supreme Court of the Republic of Ireland.

Steven has extensive arbitration experience which includes disputes involving: shareholders and reflective loss; joint ventures; ship building and chartering; interim remedies; agencies; distribution; commercial contracts; sale of goods; share sales; real property (specifically land and leases); banking and finance; private equities; securities; insurance and reinsurance; civil fraud and misrepresentations; fraudulent transfers of assets and tracing and partnerships.

He also has experience of judicial supervision of arbitration in the commercial courts and enforcement of arbitration awards.